THE HON'BLE SRI JUSTICE C.V. RAMULU

Thursday, 20th July, 2006

W.P.No.18498 of 1998

Between:

Maram Reddy Dwarakanatha Reddy … Petitioner

and

The Registrar of Cooperative Societies,
Government of Andhra Pradesh,
Gruhakalpa, M.J. Road, Hyderabad
and others. … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.18498 of 1998

ORDER:

The only grievance of the petitioner is that without there being any certificate issued under Section 71 of the Andhra Pradesh Cooperative Societies Act,1964, respondents 2 and 3 are attempting to recover the amount purported to be due, from the petitioner against his loan account.

There is no necessity of going into all the details. It is a fact that a certificate under Section 71 of the Act was not issued by the competent authority. In the absence of any such certificate, it is not open for respondents 2 and 3 to proceed with recovery of loan amount from the petitioner.

In view of the above, the Writ Petition is disposed of directing the respondents not to proceed with the recovery of the loan amount from the petitioner, without obtaining proper certificate under section 71 of the Act from the competent authority. No order as to costs.

20-7-2006

prk